

REMARKS

Claims 1-30 are pending in the application and stand rejected.

Claims 24-30 are hereby canceled by this Amendment without prejudice or disclaimer.

Applicant reserves the right to file continuation applications directed to the subject matter of these canceled claims.

Claim 1 has been amended to incorporate the features of claim 5, claim 9 has been amended to incorporate the features of claim 15 and claim 17 has been amended to incorporate the features of claim 22.

Specification Objection

The Examiner has objected to the title of the invention as not being descriptive and objected to the written specification for a minor informality.

Applicant submits the present amendments to the title and specification obviate these objections.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1, 2, 4, 9, 10, 17, 18, 20, 24-26, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by US 2002/0073244 (hereinafter "Davies"). Applicant traverses this rejection as follows.

This rejection is moot as independent claims 1, 9 and 17 have been amended to incorporate the features of claims 5, 15 and 22, respectively. Accordingly, these claims are addressed in the rejection set forth below. Additionally, the rejection of claims 24-26 and 28 is moot as these claims have been canceled by this Amendment.

The subject matter of claims 5, 15 and 22 (now incorporated into claims 1, 9 and 17) stands rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of WO 02/09350 (hereinafter "Moonen").

Claim 1, as amended, recites, *inter alia*, wherein each of the controlled devices includes positional information on an application file to be installed, and the application file is stored in a file server on the Internet.

In the rejection, the Examiner concedes that Davies fails to disclose this feature and applies Moonen to compensate for Davies' deficiencies. However, Applicant submits Moonen fails to disclose wherein each of "the controlled devices includes positional information on an application file to be installed," as recited in claim 1.

The Examiner cites to FIGS 1 and 3; page 2, lines 30-33; page 9, lines 26-27; and page 10, lines 5-6. However, these portions are silent with regard to this feature. Specifically, these portions are summarized by the portion of page 2 relied on and which states:

[T]he inventors propose a solution wherein a bridge is connected to a server, e.g., on the Internet. This sever offers a lookup service for some set of standards, and allows a bridge to locate and download the appropriate translations modules for use in the home network.

Accordingly, it is the server having a lookup service which allows the bridge to locate and download the appropriate translation modules. This does not imply or fairly suggest that the positional information is located on a controlled device. Rather, this i information is located external to a controlled device. Moreover, the cited portions of pages 9 and 10 are consistent with this disclosure.

Further, Applicant notes that Moonen discloses the steps to bridge a HAVi device, such as a digital camera, to a UPnP. (See page 8, line 30 through page 9, line 30; FIG. 2). The relevant portion of the process related to information exchanged from the digital camera is as follows:

(1) In step 212, camera 214 is physically plugged into the HAVi's 1394 network, making the camera 214 an active node; and

(2) In step 220 the registration attributes of the DCM of camera 214 and its FCM components are retrieved from the HAVi Registry on platform 218.

As such, Moonen expressly discloses that once the camera is plugged in, the DCM and FCM components are retrieved using bridge 118. Nowhere throughout the rest of the process does Moonen disclose the positional information for an application is located in the camera 214.

Accordingly, Applicant submits claim 1 is allowable over the applied combination for at least this reason. Additionally, because independent claim 17 recites a similar feature, Applicant submits claim 17 is allowable for the same reasons set forth above. Finally, Applicant submits claims 2, 4, 18 and 20 are allowable, at least by virtue of their dependency from claims 1 and 17.

Independent claim 9

Claim 9, as amended recites, *inter alia*, wherein each of the plurality of controlled devices includes a home network middleware module for communicating with the application server, and an application management module for installing a new application or managing an already installed application by controlling the application server.

In the rejection, the Examiner concedes that Davies discloses an application management module for installing a new application or managing an already installed application by controlling the application server. (*Office Action*, p. 22). To compensate for this deficiency, the Examiner relies on the software component 122 or the translation module 128 of Moonen. However, both the software component 122 and the translation module 128 are located within the bridge 118, not in each of the controlled devices. (*See* FIG. 1). Accordingly, there is no support that Moonen discloses that an application management module is located on any controlled device, or for that matter, included in each of a plurality of controlled devices.

Thus, Applicant submits claim 9 is allowable for at least this reason. Additionally, Applicant submits claim 10 is allowable, at least by virtue of its dependency

Claim Rejections - 35 U.S.C. § 103(a)

Claims 3, 11, 19, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of US 7,058,719 (hereinafter "Motoyama").

In response, Applicant submits that because Motoyama fails to compensate for the above noted deficiencies of Davies as set forth above, claims 3, 11 and 19 are allowable, at least by virtue of their dependencies. This rejection is moot with regard to claim 27 which is hereby canceled by this Amendment.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 5-8, 12-16, 21, 22, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of WO 02/09350 (hereinafter "Moonen").

As set forth above, this combination fails to disclose all the features of claims 1, 9 and 17. Consequently, Applicant submits claims 6-8, 12-14, 16 and 21 are allowable, at least by virtue of their dependency. This rejection is moot with regard to claims 5, 15 and 22 which have been canceled by this amendment.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies in view of "UNIX Programmer's Manual," November 1971 (hereinafter "UNIX1971") and Moonen.

In response, Applicant submits that because UNIX1971 fails to compensate for the above noted deficiencies of the Davies/Moonen combination as set forth above with regard to claim 17, claim 23 is allowable, at least by virtue of its dependency. This rejection is moot with regard to claim 30 which is hereby canceled by this Amendment.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/685,407

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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